Trujillo v. Apple Computer, Inc. et al Doc. 109

**IN THE UNITED STATES DISTRICT COURT**
**FOR THE NORTHERN DISTRICT OF ILLINOIS**
**EASTERN DIVISION**

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| JOSE TRUJILLO, individually and on behalf of all others similarly situated, Plaintiff, | ) | No. 07 CV 04946 Judge Kennelly Mag. Judge Ashman |
| V | ) | |
| APPLE COMPUTER, INC., a California Corporation, and AT&T MOBILITY LLC, a Georgia Corporation, Defendants. | ) | |

**PLAINTIFF'S AGREED MOTION FOR EXTENSION OF TIME TO FILE HIS RESPONSE TO DEFENDANT APPLE COMPUTER INC.'S MOTION FOR SUMMARY JUDGMENT**

NOW COMES the Plaintiff, JOSE TRUJILLO, on behalf of himself and all others similarly situated, by and through his attorneys, LARRY D. DRURY, LTD., and respectfully moves this Court for an extension of time to file his Response to Defendant Apple Computer Inc.'s Motion for Summary Judgment*,* and in support of this motion, the Plaintiff states as follows:

1. Defendant, Apple Computer, Inc., has moved for summary judgment in this matter.
2. This Court set a briefing schedule on said Motion, requiring Plaintiff to file his Response by June 2, 2008 and Defendant to file its Reply by June 23, 2008.
3. That, because of the current workload of Plaintiff's counsel, including without limitation, briefing on AT&T Mobility LLC's Motion to Dismiss and Compel Arbitration in this same case, Plaintiff's counsel respectfully requests additional time to file his Response to Apple Computer, Inc.'s Motion for Summary Judgment.
4. Plaintiff and Defendant, Apple Computer, Inc., have resolved issues regarding

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discovery, i.e., have agreed to entry of a protective order. As a result, Apple Computer, Inc. will tender additional materials that had previously been redacted. Plaintiff's counsel will require time to review and further investigate these additional documents.

4. The parties have agreed, with the permission of this Court, to extend the briefing schedule as follows:

   A. Plaintiff shall file his Response to Defendant's Motion by July 3, 2008.

   B. Defendant, Apple Computer, Inc., shall file its Reply by July 25, 2008.

WHEREFORE, Plaintiff, JOSE TRUJILLO, individually and on behalf of all others similarly situated, hereby respectfully requests that this Court enter an order extending the briefing schedule on *Defendant's Motion for Summary Judgment* as agreed by and between the parties, and for such further relief as this Court deems appropriate.

Respectfully submitted,

JOSE TRUJILLO, on behalf of himself and all others similarly situated,

By: /s/ James R. Rowe

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